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EXAMINER

ALVAREZ, R

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| ART UNIT | PAPER NUMBER |
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2761

DATE MAILED:

07/20/00

7

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

## Office Action Summary

|                               |                              |
|-------------------------------|------------------------------|
| Application No.<br>09/356,327 | Applicant(s)<br>Charles Wong |
| Examiner<br>RAQUEL ALVAREZ    | Group Art Unit<br>2761       |

Responsive to communication(s) filed on Apr 27, 2000

This action is **FINAL**.

Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire three month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

### Disposition of Claims

Claim(s) 82-123 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

Claim(s) 100-105, 107, 108, 114-118, 122, and 123 is/are allowed.

Claim(s) 82-96, 98, 99, 106, 109-113, and 119-121 is/are rejected.

Claim(s) 97 is/are objected to.

Claims \_\_\_\_\_ are subject to restriction or election requirement.

### Application Papers

See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

The proposed drawing correction, filed on \_\_\_\_\_ is  approved  disapproved.

The specification is objected to by the Examiner.

The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. § 119

Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

All  Some\*  None of the CERTIFIED copies of the priority documents have been

received.

received in Application No. (Series Code/Serial Number) \_\_\_\_\_

received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

### Attachment(s)

Notice of References Cited, PTO-892

Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

Interview Summary, PTO-413

Notice of Draftsperson's Patent Drawing Review, PTO-948

Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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## **DETAILED ACTION**

1. This office action is in response to the 5/2/2000 amendment.
2. Claims 82-123 are presented for examination.

### **Specification**

3. Applicant is reminded that the abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 250 words. It is important that the abstract not exceed 250 words in length since the space provided for the abstract on the computer tape used by the printer is limited.

### **Claim Rejections - 35 U.S.C. § 112**

In claim 82, it is unclear if a method or system is claimed.

In claim 121 line 5, it is unclear what aspects of the business partner is stored in the database. For purpose of the examination the examiner has interpret the claim to store certain criteria of a business partner.

In claim 121, on line 6 the term "the full spectrum" lacks antecedent basis.

### **Claim Rejections - 35 U.S.C. § 103**

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claim 121 is rejected under 35 U.S.C. 103(a) as being unpatentable over publication titled "Business to Business on the Internet: Using the web to cut costs and build sales"( hereinafter Business to Business on the Internet).

With respect to claim 121, Business to Business on the Internet teaches a method of establishing an end-to-end business-to-business commerce system for the sale, or sale and service, of product items, using a web-enabled relational database management system running on a server platform(entire document). Enabling a full spectrum of business functions to be performed remotely via the web(i.e. the company posts its products on electronic catalogs and provides online ordering and customer support via the net. It also sells Internet products and services which can be delivered via the net, such as software for intrusion detection and firewalls)(page 1, paragraph 4). Business to Business does not specifically teach storing within the database criteria for at least one business partner. Official notice is taken that is old and well known in business to have certain criteria that are set and enabled by partners of the company to be kept and saved in a database because such a modification would allow those individuals that are responsible for the

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day to day management of the establishment's activities to have a set of defined criteria that he is allowed to perform.

6. Claim 113 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sitarski(5,237,497 hereinafter Sitarski).

With respect to claim 113, Sitarski teaches storing within a database, in accordance with a single database schema, all current records required to perform a full spectrum of business functions throughout a life cycle of each product item(col. 5, lines 59- col. 6, lines 1-17); and limiting a number of persons for which current records are stored within the database(col. 5, lines 33-40). Sitarski does not specifically teach that the limitation is on the business partners. Nevertheless, official notice is taken that is old and well known to have limited partners wherein they are not involved in management decisions. It would have been obvious to a person of ordinary skill at the time of Applicant's invention to have included limiting a number of business partners for which current records are stored in the database because such a modification would detail the rights and the responsibilities of the business partners.

7. Claims 95-99 are rejected under 35 U.S.C. 103(a) as being unpatentable over Junger (6,085,172 hereinafter Junger).

With respect to claim 95, Junger teaches a method of processing customer service request relating to a product(abstract). including an automated workflow process for customer service

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requests, including returns, that uses a database and a web-enabled database management system(figures 2 and 3); a customer making a purchase form the merchant(i.e. the returns are on purchases that a customer makes to a merchant)(prior art figure 1, items 3A-3B) and via the web in a self-help manner, causing a customer-service/return record to be created in a database to be processed by the merchant (Figures 2 - 4C, 4E).

Junger does not specifically teach that the customer is the one sending the request through the computer network. Since Junger teaches that the local region return center sends the request through the computer network it would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to have customer send the request to the manufacturer because such a modification would cut down on the cost of hiring personnel to perform this function.

8. Claims 110-112 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nichtberger et al. (4,882,675 hereinafter Nichtberger) in view of Cupps et al.(5,991,739 hereinafter Cupps).

With respect to claim 110, Nichtberger teaches receiving demand information from multiple sources(i.e. a plurality of local stations(10) send coupon information which are based on what the customer are demanding or buying to the operation center(8)); grouping demand information received from multiple different sources, producing grouped demand information(i.e. all the coupons are grouped at the operation center(8) to determine what products are being

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demanded or sold)(figure , item 8); retaining a distinct record of individual demand information received from each of the multiple different sources (i.e. individual demand or coupon information is retained to determine redemption information).

With respect to performing one processing step using the grouped demand information, including communicating grouped demand information to a third party and performing another step using the individual demand information. Official notice is taken that is old and well known send demand information or coupon to a third party or a market research center which would determine coupon redemption and would target coupons based on the individual demand or redemption of coupon.

Nichtberger does not specifically teach that the system is implemented via a global computer network. Nichtberger is a business-to-business commerce process and using a global computer network for conducting the business-to-business commerce would have been obvious to a person of ordinary skill in the art at the time of the applicant's invention to provide a faster more accurate process. In addition, Cupps teaches an Internet online order method and apparatus. It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to have included implementing the system of Nichtberger via a global computer network because such a modification would allow more user to benefit from the system.

Claim 111 further recites propagating demand information to at least one of customers and suppliers, including applying a classification scheme whereby items are classified, marked and displayed according to classification. Official notice is taken that is old and well known for toy

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makers as well as automobiles makers to classify and mark certain items for recall based on a certain classification. It would therefore have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to have included propagating demand information to at least one customer and supplier based on the item's classification because such a modification would extend the warranty on certain item when necessary.

With respect to claim 112, Nichtberger further teaches that the demand information includes demand information from the customer.

9. Claims 96-99 are rejected under 35 U.S.C. 103(a) as being unpatentable over Junger (6,085,172 hereinafter Junger) in view of Sellers(5,311,438 hereinafter Sellers).

With respect to claim 96, Sellers teaches that the customer-service/return record created is related to a pre-existing database record(i.e. out of the pre-existing database record of the item purchased, a return record is created when the customer returns any of those items)(col 71, lines 35-47). It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to have included creating a service/return record related to a pre-existing database record because such a modification would enable the system to keep track of what purchased items are being returned.

Claim 98 further recites wherein the customer-service/return record is categorized in accordance with types including multiples ones of the following types: under warranty part not required, under warranty part required, lost or damage, etc. Seller teaches creating and

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maintaining and describing the reason of the return such as lost or damage items(col. 71, lines 40-44). It would therefore have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to have included categories of why the item was returned because such a modification would provide faster, easier access, search and retrieval of the return items and its cause.

Claim 99 further recites including hierarchically related customer service/return record types. Official notice is taken that is old and well known to organize items in a logical ascending or descending series, as by order of importance. It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to have included dividing the service/return type in a hierarchically order because such a modification would provide a faster, easier access, search and retrieval of the return items in order of importance.

10. Claims 82-91 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sellers et al. (5,311,438 hereinafter Sellers) in view of Cupps et al.(5,991,739 hereinafter Cupps).

With respect to claim 82, Sellers teaches an automated business-to-business system (col. 70, lines 30-37). a user during a first session selecting at least a first product(i.e. the user enters the specification of the items to be purchased, the maximum and minimum quantities amounts and the value of the order(col. 70, lines 48-52); the system storing identification of said first within a

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first product collection(i.e. the system maintains an item(product) specific number(identification))(col. 70, lines 48-52).

With respect to the user during a subsequent session causing the first product collection to be retrieved. Since in the system of Seller, the product information is maintained to allow the user to place orders when needed(col. 70, lines 35-36) then it would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to have retrieved the product collection on subsequent sessions to allow the user to view and place the orders of already selected products because such a modification would reduce the time consumed in the ordering process; wherein the first product collection is communicated to a second different business(i.e. the first product collection(order) is communicated to the vendor or manufacturer, which is a second business (col. 70, lines 30-37).

Seller does not specifically teach that the system is implemented on the web. Sellers is a business-to-business commerce process and electronically conducting the business-to-business commerce would have been obvious to a person of ordinary skill in the art at the time of the applicant's invention to provide a faster more accurate process. In addition, Cupps teaches an Internet online order method and apparatus. It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to have included implementing the system of Seller on the web because such a modification would allow more user to benefit from the system.

Claim 83 further recites that the product collection is caused to be retrieved using a flexible identification procedure. In the system of Seller, the product information(such as an

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identification) is maintained to allow the user to place orders when needed(col. 70, lines 35-36).

Sellers does not specifically teach that the identification of the product collection is a flexible identification procedure. Official notice is taken that is old and well known to use a flexible identification procedure because such modification would the identification procedure to adapt to new or different changing requirements.

With respect to claim 84, Seller further teaches adding an item to the first product collection(col. 71, lines 23-27).

Claim 85 further recites changing at least the quantity and price of a duplicated item. Official notice is taken that is old and well known when re-ordering previously ordered item to access a database with those records by changing the cost, quantity and term it would save the user time by not having to re-enter the item's specifications.

With respect to claim 86, Sellers further teaches classifying product collections into multiple categories according to use(i.e. each item is linked to one mere sets of characteristics(categories). The specifications(categories)may include performance characteristics(use) of the particular item)(col. 3, lines 19-26).

With respect to claims 87 and 88, official notice is taken that is old and well known to use a product collection as a customized catalog because such a modification would allow the user to save time by just ordering from previously ordered items which already have the users preferences.

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With respect to claim 89, Sellers further recite that changes made by the use are immediately affectuated(col. 71, lines 23-47).

With respect to claim 90, official notice is taken that is old and well known to create a second product collection from a first product collection because such a modification would allow the user to save time by incorporating items previously purchased or ordered to a subsequent session if the same items are to be re-ordered.

With respect to claim 91, Sellers teaches a business-to-business commerce system(col. 70, lines 30-37). Creating within the database item collections, each item being a potential subject of a business transaction(i.e. within a database item collections(specifications) are created, each item being a potential subject of an order process)(col. 3, lines 19-26);

With respect to users creating new items collections at least partially derived from an existing item collections, producing a multiplicity of item collections related by derivation. Since, Sellers teaches that multiple item collections(specifications) are created then the it would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to have included the item collections being related by derivation because such a modification would save time by allowing the newly item collection to maintain the same characteristic as the item collections that is derived from.

Seller further teaches that the item collection is communicated to at least one of supply and demand information from a first business to a second different business(i.e. the product

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collection(order) is communicated from a first business to the vendor or manufacturer, which is a second business (col. 70, lines 30-37).

Seller does not specifically teach that the system is implemented on the web. Sellers is a business-to-business commerce process and electronically conducting the business-to-business commerce would have been obvious to a person of ordinary skill in the art at the time of the applicant's invention to provide a faster more accurate process. In addition, Cupps teaches an Internet online order method and apparatus. It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to have included implementing the system of Seller on the web because such a modification would allow more user to benefit from the system.

With respect to claim 92, Sellers further recite applying different classifications to different product collections(col. 3, lines 19-26).

With respect to claim 93, Sellers further teaches that the product collections include quotes(col. 70, lines 30-68).

Claim 94 further recites that the product collections include master worksheets. Official notice is taken that is old and well known to use a worksheet which can contain formulas so that if one number is changed, the entire worksheet is automatically updated, based on those formulas. It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to have included in the product collections of Sellers a master worksheet because such a modification would allow the user to save time by automatically updated the entire collection when a change occurs.

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11. Claims 109 and 119-120 are rejected under 35 U.S.C. 103(a) as being unpatentable over Junger(6,085,172, hereinafter Junger) in view of Cupps further in view of article titled, Clemons "Segmentation, differentiation and flexible pricing: Experience with information technology and segment-tailored strategies" hereinafter Clemons.

With respect to claim 109, Junger teaches a method of handling customer requests over a global computer network(Abstract). Receiving a post-sale customer request related to a previously-sold item(Figure 4A); evaluating the request based on certain-specific criteria (col. 6, lines 58-, col. 7, lines 1-6); if applicable criteria are met, automatically approving the request and electronically communicating approval to the customer(Figure 4B and 4D).

Junger does not specifically teach that the customer is the one sending the request through the computer network. Since Junger teaches that the local region return center sends the request through the computer network it would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to have customer send the request to the manufacturer because such a modification would cut down on the cost of hiring personnel to perform this function.

Junger teaches that the evaluation of the requests are based on specific product criteria. Junger does not specifically teach that the evaluation of the request is based on the customer-specific criteria. Nevertheless, Clemons teaches that based on customer-specific criteria(historical

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customer data), such as being a profitable customer would determine additional services available to the customer, such as determining loans approvals(abstract). It would therefore have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to have included evaluating the returns request based on the customer-specific criteria because such a modification would enable business to retain their good customers.

With respect to claims 119 and 120, the claims further recite that the criteria include criteria set by at least one business partner and criteria set by historical data. The combination of Junger and Clemons further teach that the criteria set includes customer's historical data(in Clemons, Abstract). The combination of Junger and Clemons do not specifically teach that the criteria is set by one business partner but since, the combination of Junger and Clemons teach setting the criteria based on the historical data of the customer then it would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to have included at least one business partner to set the specific criteria because such a modification would allow those individuals that are responsible for the day to day management of the establishment's activities to have a saying on which set of criteria to include in the process.

**Conclusion**

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

a. Grupta et al. (5,913,061) disclosed a modular application collaboration.

**Response to Arguments**

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13. Sellers teaches a business-to-business commerce(i.e. the user represents a plant( business) which has a formal agreement with a vendor to provide specified quantity of material at agreed-upon prices) therefore a business to business process is taking place from a plant to a vendor(col. 70, lines 30-37).

Applicant arguments to claim 110 stated, “**claim 110 allows a reseller, to issue a purchase order per vendor per day regardless of how many different customers place good originating from that vendor**” but the claim as it stands doesn’t include limitation to limit the claim to a reseller-vendor embodiment.

New grounds of rejection have been applied to most of the claims.

The 112 rejection to claim 82 is sustained.

**Allowable Subject Matter**

14. Claims 100-105, 107-108, 114-115, 116-118 and 122-123 are allowed.

With respect to claim 100-105, the Examiner asserts that in a web-based business-to-business electronic commerce system including a database and a web server wherein transaction information is organized into self-contained workflow units having a predetermined format and each including demand information for a particular party, the predetermined format defining a

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command demand document enabling demand information to be capsuled for a range of differentiated business transaction of different complexity, is not taught in the prior art of record.

With respect to claims 107-108, the Examiner asserts that applying an algorithm whereby items are classified, marked and displayed according to classification for performing a particular business function, in addition to the other limitation of the claims is not taught in the prior art of record.

With respect to claims 114-115, the Examiner asserts that establishing an end-to-end business commerce in which product items are sold, using a web-enabled relational database management system running on a server platform by providing within a single database automated system data and methods spanning multiple business functions, the data being stored in accordance with a single database schema; providing a user interface that allows open navigation by a user between information pertaining to different business domains, and, for each of multiple business functions, displaying within an integrated decision making environment complete information required to perform that business function; and dynamically defining multiple virtual business departments by, for each of multiple groups of people, assigning substantially similar access privileges to each person within the group, wherein the access privileges of different groups are substantially different in combination with the other limitation of the claim, is not taught in the prior art of record.

With respect to claim 116, the Examiner asserts that identifying multiple modules of the software; and via web administration, producing a software configuration in which selected ones

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of the modules are enabled or disabled; wherein the software producing a workscope/workflow are structured display pf complex database records each comprising multiple lines of text and pertaining to both a first party to a business transaction and a second party to the business transaction, the structured display constituting an integrated decision-making environment for a particular business function, in addition to the other limitations of the claim is not taught in the prior art of record.

With respect to claims 117-118, the Examiner asserts that a server platform running a web-enabled relational database management system; stored in the database, an item table comprising item records, each item record containing business domain-specific fields pertaining to a plurality of the following business domains: products, payments, performance and personnel; whereby, once item information has been input and committed, it is immediately available for viewing by a multiplicity of information workers, different information workers having responsibility for different ones of said domains, in combination with the other limitations of the claim is not taught in the prior art of record.

With respect to claim 122-123, the Examiner asserts that integrating within a single database business information spanning multiple business domains and formalizing a decision making -algorithm that uses information spanning multiple business domains which presents to the user results of the decision-making algorithm in response to a user action, is not taught in the prior art of record.

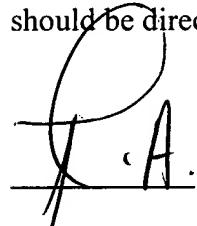
**Points Of Contact**

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Raquel Alvarez whose telephone number is (703) 305-0456. The examiner can normally be reached on Monday to Friday from 9:00 to 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Todd Voeltz, can be reached on (703) 305-9714. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-0040.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

  
Raquel Alvarez

Patent Examiner, AU 2761

  
EDWARD R. COSIMANO  
PRIMARY EXAMINER

July 14, 2000